



JOHN ELIAS BALDACCI
GOVERNOR

STATE OF MAINE
DEPARTMENT OF CONSERVATION
LAND USE REGULATION COMMISSION
22 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0022

PATRICK McGOWAN
COMMISSIONER

PERMIT

BUILDING PERMIT BP 12700

The staff of the Maine Land Use Regulation Commission after reviewing the application and supporting documents submitted by Thomas G. Wolverton and Stephanie J. Wolverton for Building Permit BP 12700, finds the following facts:

1. Applicant: Thomas G. Wolverton
Stephanie J. Wolverton
71 Birch Ridge Road
Marshfield, ME 04654
2. Date of Completed Application: November 22, 2004
3. Location of Proposal: Marion Township, Washington County
Taxation Lot 16 on Plan 5
4. Zoning: (D-RS) Residential Development Subdistrict
5. Lot Size: 0.50 Acres (under contract)
6. Principal Building: Proposed Seasonal Camp (24 ft. by 28 ft.)
Proposed Deck (10 ft. by 24 ft.)
7. Accessory Structures: Proposed Shed (8 ft. by 12 ft.)
8. Sewage Disposal: Proposed Combined System
9. Affected Waterbody: Gardner Lake

The Commission has identified Gardner Lake as a resource class 1A with significant cultural resources, and outstanding fisheries, wildlife, and physical resources.

10. The applicants propose to construct a 24 foot by 28 foot seasonal camp, a 10 foot by 24 foot deck, a 12 foot by 8 foot shed and to install a combined sewage disposal system.
11. The proposal complies with Sub-Chapter III of the Commission's Land Use Districts and Standards.
12. The facts are otherwise as represented in Building Permit application BP 12700 and supporting documents.

Based upon the above Findings, the staff concludes that if carried out in compliance with the Conditions below, the proposal will meet the Criteria for Approval, section 685-B(4) of the Commission's Statutes, 12 M.R.S.A.

Therefore, the staff approves the application of Thomas G. Wolverton and Stephanie J. Wolverton with the following conditions:

1. Construction activities authorized in this permit must be substantially started within 2 years of the effective date of this permit and substantially completed within 5 years of the effective date of this permit. If such construction activities are not started and completed within this time limitation, this permit shall lapse and no activities shall then occur unless and until a new permit has been granted by the Commission.
2. All authorized structures must be set back a minimum of 100 feet from the normal high water mark of Gardner Lake, 50 feet from Long Shore Drive and 15 feet from other property boundary lines.
3. Clearing and construction activities, except those necessary to establish sedimentation control devices, shall not begin until all erosion and sedimentation control devices (including ditches, culverts, sediment traps, settling basins, hay bales, silt fences, etc.) have been installed and stabilized. Once in place, such devices shall be maintained to ensure proper functioning. All temporary sedimentation and erosion control devices shall be removed after construction activity has ceased and a cover of healthy vegetation has established itself or other appropriate permanent control measures have been effectively implemented. Permanent soil stabilization shall be completed within one week of inactivity or completion of construction.
4. Once construction is complete, the permittees shall submit a self-certification form, notifying the Commission that all conditions of approval of this permit have been met. The permittees shall submit all information requested by the Commission demonstrating compliance with the terms of this permit.
5. The scenic character and healthful condition of the area covered under this permit must be maintained. The area must be kept free of litter, trash, junk cars and other vehicles, and any other materials that may constitute a hazardous or nuisance condition.
6. To protect the scenic quality of Gardner Lake, all authorized structures must not be sited on a ridge or knoll such that they are visible above the treeline from the lake. All authorized structures must be located, designed and landscaped to reasonably minimize their visual impact on the surrounding area, particularly when viewed from existing roadways or shorelines.
7. All exterior lighting must be located and installed so as to illuminate only the target area to the extent possible. Exterior lighting must not produce a strong, dazzling light or reflection beyond lot lines onto neighboring properties, water bodies, or roadway so as to impair driver vision or to create nuisance conditions.
8. The driveway must be located and constructed so that (a) it will not erode or create any undue restriction or disruption of existing surface water drainage ways and (b) it will divert runoff to a vegetated buffer strip so as to prevent it from directly entering a water body, mapped P-WL1 wetland or roadway.
9. Upon final execution of the deed transferring title of this parcel of land, the permittees shall submit a copy of such deed for Commission records.

This permit is approved upon the proposal as set forth in the application and supporting documents, except as modified in the above stated conditions, and remains valid only if the permittees comply with all of these conditions. Any variation from the application or the conditions of approval is subject to prior Commission review and approval. Any variation undertaken without Commission approval constitutes a violation of Land Use Regulation Commission law. In addition, any person aggrieved by this decision of the staff may, within 30 days, request that the Commission review the decision.

DONE AND DATED AT AUGUSTA, MAINE, THIS 22nd DAY OF NOVEMBER, 2004.

By: 
For Catherine M. Carroll, Director